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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Date November 15, 2004

PATENT APPLICATION

In re the Application of

Group Art Unit: 2624

R. Keith HILPL et al.

Application No.: 09/510,167

Examiner: T. Pham

Filed: February 22, 2000

Docket No.: 109028

For: DYNAMIC ADDITION OF PROGRAMMING CONFLICTS FOR PROGRAMMING  
CONFLICT CHECKING

**PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)**  
**AND TRANSMITTAL OF FEE UNDER 37 C.F.R. §1.17**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Request for Continued Examination (RCE) based on the above-identified patent application. In accordance with MPEP §714.13, having filed a reply on July 15, 2004 to the Final Office Action mailed May 19, 2004, the shortened statutory period expires on the date that an Advisory Action is mailed. Applicant's representatives have not received an official mailed copy of an Advisory Action, but have received an unofficial copy faxed by the Examiner on November 12, 2004. Therefore, the extension fees have been calculated based upon the date the Examiner asserts that an official Advisory Action was mailed (i.e., October 14, 2004). The Commissioner is hereby authorized to charge Deposit Account No. 24-0037 in the amount of \$110.00 in payment for a one-month extension fee.

The Commissioner is hereby authorized to charge the extension fee or credit any overpayment associated with this communication to Deposit Account No. 24-0037. Two duplicate copies of this page are enclosed.

Adjustment Date: 11/04/2005 SDIRETA1  
11/16/2004 EABUBAK1 00000016 240037 09510167  
02 FC:1251 110.00 CR

11/16/2004 EABUBAK1 00000016 240037 09510167  
02 FC:1251 110.00 DA

Respectfully submitted,

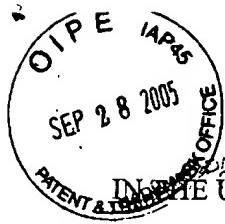
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JAO:JMH/cfr

OLIFF & BERRIDGE, PLC  
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Alexandria, Virginia 22320  
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**DEPOSIT ACCOUNT USE  
AUTHORIZATION**  
Please grant any extension  
necessary for entry;  
Charge any fee due to  
Deposit Account No. 24-0037



DEP & REF

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of  
R. Keith HILPL et al.

US PATENT & TRADEMARK  
OFFICE

Application No.: 09/510,167

ATTN: Refund Section  
Accounting Div.  
Office of Finance

Docket No.: 109028

Filed: February 22, 2000

For: DYNAMIC ADDITION OF PROGRAMMING CONFLICTS FOR PROGRAMMING  
CONFLICT CHECKING

SECOND REQUEST FOR REFUND TO DEPOSIT ACCOUNT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Request for Refund of the above-captioned patent application was filed on March 28, 2005. Copies of the Request and Patent Office Date Stamp Receipt are attached hereto.

Applicants' representatives filed a Request for Continued Examination (RCE) on November 15, 2004 with a Petition for Extension of Time in the amount of \$110.00 in support of the above-identified application. In accordance with MPEP §714.13, having filed a reply on July 15, 2004 to the Final Office Action mailed May 19, 2004, the shortened statutory period expires on the date that an Advisory Action is mailed. Applicants' representatives never received an official mailed copy of an Advisory Action, but received only an unofficial Advisory Action faxed by the Examiner on November 12, 2004. Applicants assert that this unofficial Advisory Action does not qualify as a mailed Advisory Action under MPEP §714.13. Therefore, the RCE filed November 15, 2004 was filed prior to expiration of the shortened statutory period and no Petition for Extension of Time fee was required.

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Accordingly, it is respectfully requested that this charge be re-credited to Deposit Account No. 24-0037 and that the Patent Office acknowledge this credit in writing.



Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Adam Neff".

James A. Oliff  
Registration No. 27,075

J. Adam Neff  
Registration No. 41,218

JAO:JAN/tbh

Date: September 28, 2005

**OLIFF & BERRIDGE, PLC**  
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Alexandria, Virginia 22320  
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE  
AUTHORIZATION  
Please grant any extension  
necessary for entry;  
Charge any fee due to our  
Deposit Account No. 24-0037

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